



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

October 18, 2005

MITCHELL SORENSEN  
3871 W 2500 N  
MOORE, ID 83255

**Re: Temporary Change Application Received May 13<sup>th</sup>, 2005**

Mr. Sorensen,

The Department of Water Resources received a Temporary Change Application on May 13<sup>th</sup>, 2005, which listed you, along with Mickelsen Farms, LLC, Soelberg Farms, PU Ranch, and Todd Perkes as applicants. The purpose of the temporary transfer was to change the nature of use for a number of water rights to "Mitigation" in order that those rights could be used to provide water toward the applicants' mitigation burdens.

The Department did not process the transfer and is returning your application. A check for the refund of the \$50.00 application fee will be sent to you under separate cover.

Please call if you have questions.

Sincerely,

Nick Miller  
Water Distribution Section

enclosures: Temporary Change Application – Received May 13<sup>th</sup>, 2005

cc: WD34 File

Mickelsen Farms, LLC –PO Box 438, Rigby ID 83442

Soelberg Farms – 1482 Three Fountains DR., Idaho Falls ID 83404

PU Ranch – RT 1 Box 447, Arco ID 83213

Todd Perkes – 2790 N 3325 W, Moore, ID 83255

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

RECEIVED

MAY 13 2005

**TEMPORARY CHANGE APPLICATION – Part A**  
(To change point of diversion, place of use or purpose of use) Department of Water Resources

**Name of Applicants:** Mitchell Sorensen, Mickelsen Farms LLC, Soelberg Farms, PU Ranch, Todd Perkes  
**Phone:** 527-3271 or 221-3293      **P O. Address:** 3871 West 2500 North      **City/State:** Moore, Idaho      **Zip:** 83255

**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion      ☒ Add diversion point(s)      ☒ Change place of use  
☒ Change purpose of use      ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof: The Applicants' individual mitigation burdens are (Sorensen 164 ac-ft, Mickelsen 411 ac-ft, Soelberg 41 ac-ft, PU Ranch 164 ac-ft, Perkes 164 ac-ft) totaling a combined mitigation burden of 974 ac-ft or 15.9% of the "6110 ac-ft Consolidated Basin Wide Plan". Applicants are proposing to change the necessary quantities of various water rights held by themselves and storage allocations issued to them as patrons of the Big Lost River Irrigation District from irrigation to mitigation to meet this mitigation burden requirement. This transfer of water supplies is contingent upon a valid request for mitigation pursuant to Water District 34 Distribution Rule 50.04 and the enforcement of regulating other groundwater users not participating in an approved mitigation plan.

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, TO BE USED AS MITIGATION SUPPLIES**

<u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Owner</u>	<u>Nature of Use</u>	<u>Period of Use</u>
34-0818	06/30/1880	Storage Allocation	BLRID	Mitigation	5/01 – 10/15 Mitigation Period
34-0811	06/30/1881	Storage Allocation	BLRID	Mitigation	5/01 – 10/15 Mitigation Period
34-0810	06/01/1888	Storage Allocation	BLRID	Mitigation	5/01 – 10/15 Mitigation Period
34-10935	06/30/1896	Storage Allocation	BLRID	Mitigation	5/01 – 10/15 Mitigation Period
34-0817B	03/01/1902	Storage Allocation	BLRID	Mitigation	5/01 – 10/15 Mitigation Period
34-10873	01/02/1905	Storage Allocation	BLRID	Mitigation	1/01 – 12/31 Mitigation Period
34-0012	02/07/1916	Storage Allocation	BLRID	Mitigation	1/01 – 12/31 Mitigation Period
34-2507	09/02/1959	<u>Storage Allocation</u>	BLRID	Mitigation	1/01 – 12/31 Mitigation Period
142.6 ac-ft (see attached Storage Allocation cards issued to Sorensen/Perkes)					
34-0692D	07/15/1884	1.20 cfs	Sorensen	Mitigation	5/01 – 10/15 Mitigation Period
34-0496A	06/01/1896	1.20 cfs	Sorensen	Mitigation	5/01 – 10/15 Mitigation Period
34-0618	09/01/1884	3.20 cfs	Mickelsen	Mitigation	5/01 – 10/15 Mitigation Period
34-13659	06/01/1889	0.97 cfs	Mickelsen	Mitigation	5/01 – 10/15 Mitigation Period
34-13661	06/01/1896	1.00 cfs	Mickelsen	Mitigation	5/01 – 10/15 Mitigation Period
34-00170	05/01/1886	1.20 cfs	PURanch	Mitigation	5/01 – 10/15 Mitigation Period
34-00556	05/01/1886	2.80 cfs	PURanch	Mitigation	5/01 – 10/15 Mitigation Period
34-10037	05/20/1884	4.52 cfs	Perkes	Mitigation	5/01 – 10/15 Mitigation Period
34-00093	05/20/1884	1.60 cfs	Perkes	Mitigation	5/01 – 10/15 Mitigation Period
34-00509B	06/01/1886	0.68 cfs	Perkes	Mitigation	5/01 – 10/15 Mitigation Period
34-00510B	05/01/1902	<u>0.66 cfs</u>	Perkes	Mitigation	5/01 – 10/15 Mitigation Period
19.03 cfs or 37.74 ac-ft per day from Natural Flow Rights					

2. **Total amount of water being transferred:** 974 ac-ft as a participant in the "6110 ac-ft Consolidated Basin Wide Plan" (142.6 ac-ft from storage allocation and 831.4 ac-ft from natural flows).
  3. **Source of water:** Storage Allocation from the Mackay Reservoir and Natural Flow of the Big Lost River.
  4. **Point(s) of Diversion:** Various points of diversion at or below the Mackay Reservoir.
  5. **Lands irrigated or place of use:** Unknown, to be determined by priority calls.
- Number of former irrigated acres not to be irrigated:** 237 acres (see 6 c. for more details)  
(831.4 ac-ft from natural flow divided by 3.5 ac-ft per acre = 237 required non-irrigated acres)  
(142.6 ac-ft from storage allocation – no non-irrigated acres required)

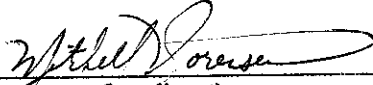
**ACRES NOT IRRIGATED WITHIN LEGAL DESCRIPTION BELOW**

Twp. 3N	Rge. 25	Sec. 12	NW 35	NE 35	SW 35	SE 160	Acres 265
Twp. 3N	Rge. 26	Sec. 18	NW 80	NE 10	SW 10	SE	Acres 100
Twp. 4N	Rge. 25	Sec. 35	NW	NE 160	SW	SE 160	Acres 320
Twp. 4N	Rge. 25	Sec. 25	NW 160	NE 60	SW	SE	Acres 220
Total Acres							905

6. **General Information:**

- a. **Who owns the water right to be changed?** The Applicants and the Big Lost River Irrigation District.
- b. **Describe the arrangement allowing use of the right.** The Applicants have entered into farm lease agreements among themselves and applicants are also patrons of the Big Lost River Irrigation District who have received storage allocations.
- c. **Describe the affect on the land now irrigated if the change is approved pursuant to this application:**  
The 237 acres previously irrigated would not be irrigated this year until early fall for purposes of germinating alfalfa or winter wheat seeds used for next years production.
- d. **Has the water right sought to be transferred been used this year?** No
- e. **Absent the changes, how would the right be used for the remainder of the year?** These water supplies would be applied to the 237 acres and/or to other irrigated acres owned by the applicants.
- f. **Describe other water rights used for the same purpose.** Other valid water rights held by the applicants will be used to irrigate the remaining portion of their farmland. The proposed mitigation supplies will be made available to the Watermaster to augment the Big Lost River natural flow and will be used with other mitigation supplies to mitigate the effects of ground water pumpage in Basin 34.
- g. **Remarks:** Mitigation water supplies made available to the Watermaster will first come from storage allocations (142.6 ac-ft). The balance of mitigation supplies (831.4 ac-ft) will be provided from the listed natural flow water rights as they become available in their respective priorities until the applicants' collective mitigation requirements are satisfied. The remaining portions of the various listed water rights will be retained by the applicants for the irrigation of their farmland. These mitigation supplies may be used to augment the flows of the Big Lost River during the 1<sup>st</sup> and 2<sup>nd</sup> mitigation semesters as natural flow, rotation credits, or storage releases at the Watermaster's discretion. Please review this temporary change application carefully and allow the applicants to respond to any questions. Thank you.

I hereby assume all risk in accordance with Section 42-22A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentation made in this application may result in voiding its approval.

  
(Signature of applicant)      May 10, 2005  
(Date)

**TEMPORARY CHANGE APPLICATION -- Part B**  
**(To change point of diversion, place of use or purpose of use)**

Name of Applicants: Marc Hansen and Constatine Kitsos, Juel and Steven Aikele, Jay V. and L. Vaughn Jensen

**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion    ☒ Add diversion point(s)    ☒ Change place of use  
☒ Change purpose of use    ☐ Other

2. **Describe the proposed change(s) and the reason(s) thereof:** The Applicants' individual mitigation burdens are (Hansen/Kitsos 243.3 ac-ft, Aikele/Aikele 298.9 ac-ft, Jensen/Jensen 189.0 ac-ft) totaling a combined mitigation burden of 731.2 ac-ft or 11.9% of the "6110 ac-ft Consolidated Basin Wide Plan". Applicants are proposing to change the necessary quantities of various water rights held by themselves and storage allocations issued to them as patrons of the Big Lost River Irrigation District from irrigation to mitigation to meet their individual mitigation burden requirements. This transfer of water supplies is contingent upon a valid request for mitigation pursuant to Water District 34 Distribution Rule 50.04. and the enforcement of regulating other groundwater users not participating in an approved mitigation plan.

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, TO BE USED AS MITIGATION SUPPLIES**

1. Right Number    Priority    Amount (cfs/ac-ft)    Owner    Nature of Use    Period of Use  
(see Storage Allocation water rights described in Part A, section B 1.)

Individual Applicants water rights listings

34-00158G	06/01/1883	0.82 cfs	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period
34-10632	05/20/1884	6.42 cfs	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period
34-00315	03/27/1899	0.52 cfs	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period
34-12371	04/22/1884	3.04 cfs	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period
34-00317D	02/18/1885	0.86cfs	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period
34-00360D	06/01/1887	0.60cfs	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period
34-00381D	09/26/1894	0.42cfs	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period
34-00680B	06/01/1896	1.26cfs	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period
34-10447	08/01/1896	4.00cfs	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period
34-00374C	04/28/1898	0.84cfs	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period
34-00681A	08/01/1899	0.84cfs	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period
34-12374	05/01/1905	<u>1.88cfs</u>	Hansen/Kitsos	Mitigation	5/01 – 10/15 Mitigation Period

21.5 cfs or 42.6 ac-ft per day from Natural Flow Rights  
173.4 ac-ft from Hansen/Kitsos Storage Allocation (see attachments)

34-00032D	05/20/1884	0.51 cfs	Aikele/Aikele	Mitigation	5/01 – 10/15 Mitigation Period
34-00259B	05/20/1884	0.61 cfs	Aikele/Aikele	Mitigation	5/01 – 10/15 Mitigation Period
34-02417	05/29/1961	2.67 cfs	Aikele/Aikele	Mitigation	4/15 – 10/15 Mitigation Period

3.67 cfs or 7.5 ac-ft per day from Natural Flow and Groundwater Rights  
0.00 ac-ft from Storage Allocation

Jensen/Jensen Mitigation 5/01 – 10/15 Mitigation Period  
0.00 cfs or 0.0 ac-ft per day from Natural Flow Rights  
210 ac-ft from Jensen Storage Allocation (see attachments)

2. **Total amount of water being transferred:** 731.2 ac-ft as participants in the “6110 Consolidated Basin Wide Plan”. Please note the individual mitigation burden for each applicant in Part B items #A2 and #B. Each applicants is proposing to transfer only that quantity necessary to satisfy their respective individual mitigation burdens.
3. **Source of water:** Storage Allocation from the Mackay Reservoir and Natural Flow of the Big Lost River.
4. **Point(s) of Diversion:** Various points of diversion at or below the Mackay Reservoir.
5. **Lands irrigated or place of use:** Unknown, to be determined by priority calls.  
Number of former irrigated acres not to be irrigated: 99 acres. (see 6.c. for more details)  
(347.8 ac-ft from natural flow divided by 3.5 ac-ft per acre = 99 required non-irrigated acres)  
(383.4 ac-ft from storage allocation – no non-irrigated acres required)

ACRES NOT IRRIGATED WITHIN LEGAL DESCRIPTION BELOW

Twp. 6N	Rge. 25	Sec. 17	NW	NE	SW 100	SE	Acres 100
Twp. 3N	Rge. 25	Sec. 01	NW	NE	SW 40	SE	<u>Acres 40</u>
Hansen/Kitsos - 25 required non-irrigated acres							Total Acres 140
Twp. 4N	Rge. 26	Sec. 31	NW 45	NE	SW 38	SE	Acres 83
Twp. 4N	Rge. 26	Sec. 30	NW	NE 55	SW	SE	Acres 55
Twp. 3N	Rge. 25	Sec. 13	NW	NE 40	SW	SE	<u>Acres 40</u>
Aikele/Aikele - 85 required non-irrigated acres							Total Acres 178
Twp. N	Rge.	Sec.	NW	NE	SW	SE	<u>Acres 000</u>
Jensen/Jensen - 0 required non-irrigated acres							Total Acres 000

6. **General Information:**
  - a. **Who owns the water right to be changed?** The Applicants and the Big Lost River Irrigation District.
  - b. **Describe the arrangement allowing use of the right.** The Applicants own their respective water rights and in some instances are also patrons of the Big Lost River Irrigation District who have received storage allocations (see attached Storage Allocation Cards).
  - c. **Describe the affect on the land now irrigated if the change is approved pursuant to this application:** The 99 acres previously irrigated would not be irrigated this year.
  - d. **Has the water right sought to be transferred been used this year?** No.
  - e. **Absent the changes, how would the right be used for the remainder of the year?** These water supplies would be applied to the 99 acres and/or to other irrigated acres owned by the applicants.

- f. Describe other water rights used for the same purpose. Other valid water rights held by the applicants will be used to irrigate the remaining portion of their farmland. The proposed mitigation supplies will be made available to the Watermaster to augment the Big Lost River natural flow and will be used with other mitigation supplies to mitigate the effects of ground water pumpage in Basin 34.
- g. Remarks: Mitigation water supplies made available to the Watermaster will first come from storage allocations (Hansen/Kitsos 173.4 ac-ft, Jensen/Jensen 210.0 ac-ft), second, from the natural flow water rights as they become available in their respective priorities listed in Part B (Hansen/Kitsos 69.9 ac-ft, Aikele/Aikele 298.9 ac-ft), and lastly if needed, from (Aikele/Aikele) ground water supplies exchanged with the natural flow rights listed in Part A of this application until the applicants' full individual mitigation requirements are satisfied. The remaining portions of the various listed water rights will be retained by the applicants for the irrigation of their farmland. These mitigation supplies may be used to augment the flows of the Big Lost River during the 1<sup>st</sup> and 2<sup>nd</sup> mitigation semesters as natural flow, rotation credits, or storage releases at the Watermaster's discretion.

I hereby assume all risk in accordance with Section 42-22A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentation made in this application may result in voiding its approval.

<u>Man Hansen</u>	<u>5-10-05</u>
(Signature of applicant)	(Date)
<u>[Signature]</u>	<u>5-10-05</u>
(Signature of applicant)	(Date)
<u>Gary V. Jensen</u>	<u>5-10-05</u>
(Signature of applicant)	(Date)

[Signature]  
FOR DEPARTMENT USE ONLY

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_

Receipted \_\_\_\_\_ # \_\_\_\_\_ Recommend: \_\_\_\_\_ approve \_\_\_\_\_ deny \_\_\_\_\_

Watermaster recommendation \_\_\_\_\_

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Temporary Change Application No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

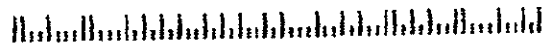
\_\_\_\_\_  
For the Director

BIG LOST RIVER IRRIG DIST  
MACKAY, ID 83251

The Board of Directors has determined that at the current level of the reservoir your storage allocation will be 1656 inches for your account #91A in the Westside canal. If the reservoir should refill in the future, you will be notified of a new allocation.

Todd Perkes  
2790 N 3325 W  
Moore ID 83255

83255+8723



BIG LOST RIVER IRRIG DIST  
MACKAY, ID 83251

The Board of Directors has determined that at the current level of the reservoir your storage allocation will be 1939 inches for your account #66/71 in the Moore canal. If the reservoir should refill in the future, you will be notified of a new allocation.

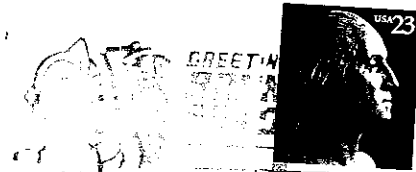
Mitchell Sorensen  
3871 W 2500 N  
Moore, ID 83255

83255+8722





BIG LOST RIVER IRR DIST  
MACKAY, ID 83251

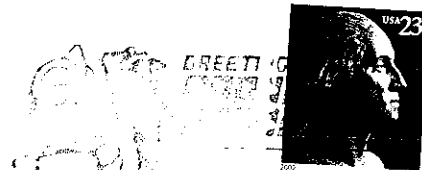


The Board of Directors has determined that at the current level of the reservoir your storage allocation will be 578 inches for your account #96/1147 in the Westside canal. If the reservoir should refill in the future, you will be notified of a new allocation.

Marc Hansen  
Rt 1 Box 63C  
Moore ID 83255



BIG LOST RIVER IRR DIST  
MACKAY, ID 83251



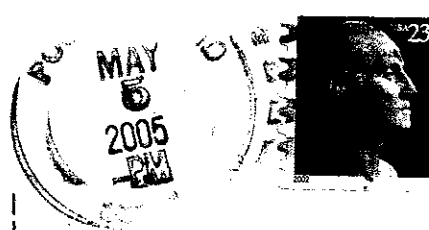
The Board of Directors has determined that at the current level of the reservoir, your storage allocation will be 3793 inches for your account #322A in the Darlington canal. If the reservoir should refill in the future, you will be notified of a new allocation.

Marc Hansen c/o Kitsos  
Rt 1 Box 63-C  
Moore, ID 83255



BIG LOST RIVER IRRI DIST  
MACKAY, ID 83251

The Board of Directors has determined that at the current level of the reservoir, your storage allocation will be 3359 inches for your account #116A in the Munsey canal. If the reservoir should refill in the future, you will be notified of a new allocation.



Jay Jensen  
3165 W 3300 N  
Moore ID 83255

BIG LOST RIVER IRRI DIST  
MACKAY, ID 83251

The Board of Directors has determined that at the current level of the reservoir, your storage allocation will be 1957 inches for your account #192 in the Eastside canal. If the reservoir should refill in the future, you will be notified of a new allocation.



L. Vaughn Jensen  
3347 W 2900 N  
Moore, ID 83255

83255+8764





Payment Amount	\$50.00	Date Received	5/13/2005 10:38:35 AM	Region	State	Status
Payment Type	Check	Check Number	2985			

<b>Payer</b>	SORENSEN CROP AND LIVESTOCK
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Comment	TEMPORARY CHANGE OF APPLICATION
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## Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	PERMITS	0229	21	56103	1155

[illegible]

**Signature Line (Dept. Representative)**